

Ray's Ill Health Gives Urgency to King Assassination Doubts

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MEMPHIS, Tenn.—Crammed inside a cardboard box in a storage room of the Shelby County Courthouse are pieces of evidence collected after the murder of the Rev. Martin Luther King Jr. There is ashtray debris taken from a car driven by James Earl Ray, King's convicted assassin; a \$1.81 lunch receipt from a restaurant called Mamma's Shanty; even a pair of brown paisley boxer shorts, size unknown, that once belonged to Ray.

After almost 30 years, the col-

lection—which includes the Remington rifle used in the shooting—retains the power to fascinate, much like the murder itself and the personalities involved. This enduring fascination was underscored just before Christmas, when Ray's dour image passed once again across television screens as he for a time lingered near death in a Nashville hospital.

After emerging from a coma, Ray was transferred last week to a prison hospital. His condition, however, remains grave.

If he dies, many of King's compatriots worry that answers to
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lingering questions about the assassination will die with him, either because Ray may not divulge all he knows or because efforts to win a new trial for Ray will collapse.

There were problems with the case from the beginning—questions that didn't get answered by the FBI," said the Rev. James M. Harrison Jr., pastor of the Pullman United Methodist Church in Los Angeles and a former coordinator of the Memphis sanitation workers' strike that brought King to town.

Ray confessed to killing King in 1969 and was sentenced to 99 years in federal prison. But he almost immediately recanted, saying he had been coerced. Since then he has maintained that his actions during the months leading up to the murder—actions that strongly implicated him in the killing—were orchestrated by a mysterious man he had met in a Montreal bar, a smuggler he knew only as Raoul.

After conducting an inquiry into King's murder, a House subcommittee said in 1979 that while Ray possibly "had help," investigators could not determine who else was involved.

Theories have ranged from white supremacists to the FBI to Ray's virulently racist brother, Jerry. Civil rights leaders such as the Revs. Jesse Jackson and Joseph Lowery and several of Ray's attorneys have over the years advanced the notion of involvement by agents of the U.S. government. Now William F. Pepper, Ray's current attorney, maintains that he has hard evidence.

He is trying, for the umpteenth time, to reopen the case. A hearing is scheduled before a federal judge in Memphis next month. The question is whether Ray will live that long or whether the liver disease that doctors say is killing him will render efforts to win a retrial moot.

A Petty Criminal Intersects With King

An escaped convict trying to avoid recapture, Ray spent the year before King's murder on April 4, 1968, roaming the country, committing petty crimes and making occasional forays into Canada and Mexico. In the weeks before the assassination, however, his travels closely coincided with King's giving the impression that he was stalking the civil rights leader.

His fingerprint was on a rifle scope police found near the murder site, bundled up with more of his belongings. That and the other pieces of circumstantial evidence are all there in the box in the courthouse storeroom, including bullet fragments and old paperback books that had been in Ray's possession.

Also in the box is a morgue photograph of King's body, his eyes open, his right cheek obliterated by the assassin's bullet. It is the most intimate item of all, a disturbing look at the horror of sudden death.

But King's murder, like that of President Kennedy earlier in the decade, proved to be not only the end of something—the "age of innocence," pundits call it—but also the beginning of a period of

national angst and doubt. Did one gunman commit both murders, as initial investigations concluded? Or were both men the victims of massive conspiracies?

Court filings and a book published in late 1995 by Pepper support to back up the allegations of a government conspiracy in the King case and name individuals who supposedly took part. Pepper says he even has tracked down the elusive Raoul, or Raul, as Pepper calls him.

Pepper claims that the shooting was orchestrated so that it would appear the hapless Ray was the triggerman. Contrary to what police maintain, the shot was not fired from the bathroom window of a flophouse where Ray had rented a room, Pepper insists. Rather, he says, it came from a bushy area behind the building and across the street from the Lorraine Motel, where King was staying. In 1968, several witnesses told police and reporters that they saw a furtive figure in the bushes and a puff of smoke.

Pepper maintains that the man was likely fired either by Raoul—whom he identifies as a Portuguese-born smuggler who had connections to the Mafia—or by Eloyd Lowers, a local restaurant owner with alleged Mob ties. Pepper further says Army snipers were stationed nearby as backup.

"This all is hogwash," scoffs Neil Zachary, the retired chief homicide detective who investigated King's murder and concluded that Ray acted alone.

Despite Pepper's efforts at uncovering new evidence and witness, the strongest of his claims cannot be verified because they

come from unnamed sources. And detractors question whether the allegations have been motivated by a search for justice or a search for money.

"Zachary denounces Pepper as 'the biggest liar that ever hit the ground. He'll say anything in the world for a little notoriety. I wouldn't trust him any farther

than I could throw a 10-ton elephant."

Killing Called a Plot as Big as Government

It remains questionable whether Pepper will ever be allowed to present his new evidence in court.

He came closest in 1994, when Criminal Court Judge Joe Brown granted a hearing to allow Ray to present evidence to build up a record for a federal appeal. The state Court of Criminal Appeals overruled the hearing, however, declaring that Brown had overstepped his authority.

Now a federal judge has scheduled a February hearing on a motion for a new trial on grounds that there is evidence that the bullet that killed King cannot be matched to Ray's rifle. Prosecutors contend that the bullet is so mutilated it cannot be matched to any weapon.

Pepper claims that he can prove that the Pentagon, the Mafia, the FBI and Memphis police all were involved in the plot to kill King. He says he has evidence that two Army sniper teams were on perches overlooking the Lorraine Motel at the moment the fatal shot was fired. He claims they were ordered out of the area afterward by either Raul or Jowers.

Pepper details the steps he took to reach his conclusions in "Orders to Kill," which was researched with the help of a former reporter for the Memphis Commercial Appeal, Steve Tompkins.

The Commercial Appeal first reported in 1993 that Army intelligence had spied for years on King and his family and that an eight-man Green Beret team had been in Memphis the day he was killed. The paper's 16-month investigation stopped short of saying the Army played a role in the killing.

At the time, Army officials defended their role in spying on King and other civil rights leaders and denied that any illegality had occurred. The Army spied on U.S. citizens, they acknowledged, because the scope of civil unrest had inundated the FBI.

Tompkins said he traveled to Mexico to conduct a series of follow-up interviews with one of the former Green Berets. He said the former soldier corroborated a

Pepper allegation that snipers near the motel had their weapons trained on King at the moment he was killed and were awaiting orders to shoot. Tompkins and Pepper say the former Green Beret does not want his identity revealed.

Now an aide to Georgia Gov. Zell Miller, Tompkins said he came to believe during the course of his investigation that Ray was framed. "I don't believe he did it," he said. He swears in an affidavit that he received no payment for assisting Pepper with the book. He helped, Tompkins said, because he wanted the truth to come out.

However, Pepper says he paid the former Green Beret and some other sources "for their time." He insisted that there was no other way to gather the evidence he needed. "They're not interested in truth and justice and those things."

Among those the lawyer has not paid for their stories is Jim Smith, a former Memphis police officer who said in an interview that Army intelligence agents were in town and in contact with police in the days before King was killed. He alleges that authorities kept King under constant surveillance. As a young officer, Smith said he was assigned to guard the perimeter while agents in a van used electronic surveillance equipment to monitor King's hotel room on a visit to Memphis shortly before the assassination.

Another man, Sid Carthew, corroborates a portion of Ray's story about meeting Raul in a seedy waterfront bar in Montreal called the Neptune. Carthew was a seaman in the British merchant service. In 1967 and, while in Montreal for a week, he went to the bar nightly. He said he did not know Ray, but he said in an interview and an affidavit that on one of his visits he was approached by a man who identified himself as Raul.

Ray has insisted that he met Raul in the same bar in 1967 in much the same way and that he went to work for him, assisting him in his smuggling activities.

Another unpaid source is Glenda Grabow, a woman who now lives near Memphis and claims she knew Raul in Houston in the 1960s after she became involved with Mob figures. This Raul, whom she knew by the nickname "Dago," was a smuggler with connections to a New Orleans Mafia who disappeared for a long period in the late 1960s, she said.

Grabow said in an interview that Raul returned to Houston in the early 1970s and reacted with anger one day when he saw pictures of King and John F. and Robert F. Kennedy in a viewfinder attached to her key chain.

He threw the key chain down on the floor and stamped it, she

claimed in a sworn deposition. "I have killed that black son of a bitch once," she said he snarled. "Do I have to kill him again?"

Pepper claims that the man Grabow knew is now a retired import-export businessman in his early 60s who lives in the Northeast. The man's legal name is included in a \$46-million civil lawsuit Pepper has filed on behalf of Ray, seeking damages against him and Jowers. Nevertheless, the lawyer said he had the court record naming Raul sealed because he did not want to smear this man if he turned out to be the wrong person.

Progress on the case was stymied last year when a circuit court judge ruled that the civil action cannot proceed as long as Ray's guilty verdict stands. Since then, Pepper has focused his efforts on gaining a new trial in criminal court.

Pepper's allegations hardly made a ripple when they were published in late 1995. Even in

Memphis, where interest in the assassination presumably would be high, the book is hardly stocked in stores. Few publications reviewed it.

Lawson, the Los Angeles minister who said that he believes Ray is innocent, accused the media of adhering to a "party line" and turning a blind eye to "alternative perspectives on the American scene."

Cottage Industry Surrounds Killing

After so much time has passed, sorting out the truth about King's assassination would be difficult under the best of circumstances. But now a cottage industry has emerged—not as prominent as that surrounding President Kennedy's death, but extensive. With books, movies, reputations and perhaps small fortunes waiting to be made, where is the line that separates self-interest from public service? How does one gauge fact from media-induced fantasy?

At the center of the maelstrom is Pepper, a former friend to King who now has taken up the cause of his accused killer. An American who lives and practices international law in London, Pepper met King in 1967 after the civil rights leader read an article Pepper wrote for Ramparts magazine about the effects of the Vietnam War on Vietnam's civilian population.

King's biographers have credited the article with helping persuade the Nobel Peace Prize-winning Baptist minister to speak out forcefully against the war. Pepper became an advisor.

Many of those who were close to

King believe that it was the broadening of his concerns—as he sought to fuse the civil rights movement with antiwar activists and began to call for the massive redistribution of wealth—that made him a dangerous figure to people in power.

"After he died I walked away from" social activism, Pepper said. He first became involved with Ray in 1978 when he said the late Ralph Abernathy, who succeeded King as director of the Southern Christian Leadership Conference, approached the lawyer about setting up a meeting with the convicted assassin. Eventually, Pepper said, he became convinced of Ray's innocence and agreed to represent him.

Working without compensation, he interviewed witnesses and gathered evidence as time permitted, shuttling between Britain and

the United States. His investigation, which led him to the conclusion of government involvement in the killing, left him sad and angry, he said.

But while prominent figures such as Jesse Jackson and independent academic researchers deem some of Pepper's new allegations to be credible, others smell ulterior motives.

Shelby County Dist. Atty. Gen. John Pierotti, the official who has local jurisdiction in the case, says he does not take any of it seriously. He, like Zachary, the retired chief homicide detective, questions Pepper's credibility.

Others also are troubled by the commercial nature of Pepper's book project and an earlier-televized mock trial that he instigated. They allege that the attorney has bent the truth for financial gain.

The Rev. Billy Kyles, a minister who helped organize the sanitation worker strike that brought King to Memphis, is among those who believe Ray did not act alone. Still, he said physical evidence linking Ray to the crime is overwhelming. He too charged that personal gain was Pepper's sole motivation.

"His whole program was to write this book," Kyles said. "I wasn't interested in getting James Earl Ray out of jail. . . . I've always resented anybody who tried to make money off of Martin's life."

Additionally, Kyles' anger toward Pepper is fueled by the allegation in the book that Kyles was a police informant on the civil rights movement, an allegation the minister called "absurd."

"My whole life has been dedicated to the emancipation of my people," he said. "For [Pepper] to



William F. Pepper with the Rev. Martin Luther King Jr. in 1967.



Convicted assassin James Earl Ray is gravely ill in a prison hospital.

come in and make baseless allegations like that is just offensive."

Ex-House Member Now Has Suspicions

The House inquiry into the murder ruled out government involvement. But the man who chaired the subcommittee says he now disputes the findings.

Walter Fautroy, the former District of Columbia delegate to the House, claims to have seen documents showing that Army intelligence agents watched King in Memphis and reported daily to then-FBI Director J. Edgar Hoover. He also says FBI sharpshooters plotted to kill Ray during a prison escape in 1977, to silence him before the House inquiry.

For the government to have killed King would have required a complex and wide-ranging conspiracy. But referring to the assassinations of King and the Kennedys, Fautroy said such a massive conspiracy "is no more astounding than the [official] explanations given for three assassinations in the decade of the '60s—that one person acting alone [in each case] could take out key persons."

An academic expert on political assassinations said he believes Pepper's allegations of a conspiracy are credible.

Professor Philip Malmanson of Southeastern Massachusetts University evaluated parts of Pepper's book that deal with topics he has also researched. He said many of those portions coincide with the facts as he knows them. He said he found other parts "bothersome" because of Pepper's interpretations.